

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

REALTIME DATA, LLC, d/b/a IXO, §

Plaintiff, §

v. §

T-MOBILE U.S.A., INC., §

Defendant. §

CIVIL ACTION No. 6:10CV493

JUDGE RON CLARK

VERDICT FORM

Question No. 1: Infringement ('506 Patent)

Do you find by a preponderance of the evidence that T-Mobile's use of the T-Mobile system containing the Flash Harmony product infringes any of the following claims of the '506 Patent?

Answer "Yes" or "No" as to each claim:

Claim 93 NO

Claim 94 NO

Please go on to Question No. 2.

Question No. 2: Infringement ('300 Patent)

Do you find by a preponderance of the evidence that T-Mobile's use of the T-Mobile system containing the Flash Harmony product infringes any of the following claims of the '300 Patent?

Answer "Yes" or "No" as to each claim:

Claim 23 NO

Claim 36 NO

Claim 42 NO

Claim 46 NO

Claim 59 NO

Please go on to Question No. 3.

Question No. 3: Infringement ('530 Patent)

Do you find by a preponderance of the evidence that T-Mobile's system containing the Flash Harmony product infringes any of the following claims of the '530 Patent? Answer "Yes" or "No" as to each claim:

Claim 17 NO

Claim 19 NO

Claim 21 NO

Claim 23 NO

Please go on to Question No. 4.

Question No. 4: Invalidity—Obviousness ('506 Patent)

Do you find by clear and convincing evidence that any of the following claims of the '506 Patent is invalid because it would have been obvious to a person of ordinary skill in the art in light of the combinations of references listed below? Answer "Yes" or "No" as to each claim for each combination of references.

	Hoffman in combination with Franaszek	Lafe in combination with Franaszek
Claim 93	<i>yes</i>	<i>yes</i>
Claim 94	<i>yes</i>	<i>yes</i>

Please go on to Question No. 5.

Question No. 5: Invalidity—Obviousness ('300 Patent)

Do you find by clear and convincing evidence that any of the following claims of the '300 patent is invalid because it would have been obvious to a person of ordinary skill in the art in light of the combinations of references listed below? Answer "Yes" or "No" as to each claim for each combination of references.

	Tanaka in combination with the knowledge known to a person of ordinary skill in the art	Hoffman in combination with Lafe (ONLY CLAIMS 36, 42, and 59)
Claim 23	yes	
Claim 36	yes	yes
Claim 42	yes	yes
Claim 46	yes	
Claim 59	yes	yes

Please go on to Question No. 6.

Question No. 6: Invalidity—Obviousness ('530 Patent)

Do you find by clear and convincing evidence that any of the following claims of the '530 Patent is invalid because it would have been obvious to a person of ordinary skill in the art in light of the combinations of references listed below? Answer "Yes" or "No" as to each claim for each combination of references.

	Dye in combination with Aakre	Hoffman in combination with Sebastian
Claim 17	<i>Yes</i>	<i>Yes</i>
Claim 19	<i>Yes</i>	<i>Yes</i>
Claim 21	<i>Yes</i>	<i>Yes</i>
Claim 23	<i>Yes</i>	<i>Yes</i>

If you answered "Yes" to any claim listed in Question Nos. 1-3 and did not find that same claim invalid in Question Nos. 4-6, please answer Question No. 7.

Otherwise, please skip to the end of this verdict form and have the Foreperson initial and date in the spaces provided.

Question No. 7: Damages

What sum of money, if any, do you find would fairly and adequately compensate Realtime for T-Mobile's conduct you found to infringe from the date of commencement through today?

Answer in dollars and cents:

\$ _____

Please initial and date the verdict form.

DATE 2/11/2013

INITIALS OF FOREPERSON BC

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